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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/477,193	01/04/2000	JAMES R. TIGHE	062891.0292	8822

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EXAMINER

COLIN, CARL G

ART UNIT	PAPER NUMBER
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2136

DATE MAILED: 11/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/477,193	<b>Applicant(s)</b> TIGHE ET AL.	
	<b>Examiner</b> Carl Colin	<b>Art Unit</b> 2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-30 and 32-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-30 and 32-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \*   c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) ¶                                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                             | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5/17/04</u> | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. In response to communications filed on 5/17/2004, applicant amends claims 1, 2, 14, 26, 38, and cancels claims 7 and 31. The following claims 1-6, 8-30, 32-45 are presented for examination.

1.1 Applicant's arguments, pages 14-18, filed on 5/17/2004, with respect to the rejection of claims 1-45, have been fully considered but they are not fully persuasive. In Hokari when a call is permitted, data will be exchanged that meets the recitation of media streaming. Upon further consideration, a new ground of rejection is made in view of Gudjonsson in combination with the references from the previous action. Gudjonsson teaches at least the amended limitation in the independent claims. Regarding the other dependent claims, the teaching of Hokari and Cohen still applies as far as disclosing the limitations of the dependent claims. Claims 1-6, 8-30, 32-45 are now rejected under 35 USC 103 in view of Hokari in combination with Gudjonsson and/or Cohen.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have

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been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2.1 **Claim 1, 11-13, 35-37, and 43-45** are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,455,855 to **Hokari** in view of US Patent 6,564,261 to **Gudjonsson** and in view of US Patent 6,389,462 to **Cohen et al.**

2.2 **As per claim 1, Hokari** substantially teaches a method for establishing a telephone call between a trusted Internet Protocol (IP) telephone and an untrusted device (abstract); the method comprising, receiving a call initiation request from an untrusted device external to a trusted network, indicating a desired communication with a trusted IP telephone coupled to the trusted network (column 4, lines 13-16); evaluating the call request and establishing a telecommunication link between the untrusted device and the trusted IP telephone in response to a positive evaluation of the call initiation request (column 4, lines 13-59); associating a first logical port with the trusted device and a second port logical port with the untrusted device (see figure 3); receiving first telecommunication data from the untrusted device at the first logical port (see column 4, lines 13-15); receiving second telecommunication data from the trusted device (see column 5, lines 15-17). **Hokari** does not explicitly disclose monitoring the type of streaming. **Gudjonsson** in an analogous art discloses communications between trusted and untrusted IP telephone and monitoring of all types of streaming, for example (see abstract and column 32, lines 27-48); and also discloses a system that evaluates a call initiation request not

only on user identity or authentication, but also on the type of communication being transmitted, on whether the telecommunications sent by the untrusted device comprise media streaming, appropriate audio format, or any other type of streaming, for example (see column 9, lines 1-22 and column 32, line 60 through column 33, line 48 and column 37, lines 59 et seq.). **Gudjonsson** discloses that by monitoring the communication and determining the type of media used by the user, this invention offers accessibility and mobility while providing security, for example (see column 7, line 35 through column 8, line 35). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include an evaluation request wherein evaluating the call initiation request comprises determining whether the untrusted device is requesting the establishment of media streaming with the trusted IP telephone in order to provide accessibility and mobility enabling access from virtually any communication device while providing users with a simple and secure way of establishing communications using different protocols as taught by **Gudjonsson**. This modification would have been obvious because one skilled in the art would have been motivated by the suggestions provided by **Gudjonsson** so as to provide accessibility and mobility enabling access from virtually any communication device while providing users with a simple and secure way of establishing communications using different protocols.

**Hokari** further discloses the step of modifying the sub-address information to specify the ISDN numbers assigned to the PBXs (see column 4, line 33 through column 5, line 35). To one skilled in the art the ISDN numbers meet the recitation of the ports of the proxy. However, **Cohen et al.** in an analogous art discloses modifying a first source address information to specify the second logical port of the telephone proxy and communicating the data with the modified

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first source address information to the server (see column 8, lines 28-37); modifying a second source address in the second telecommunication data to specify the first logical port of the telephone proxy and communicating the data with the modified second source address information to the client (see column 8, lines 37-49). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of **Hokari** to provide the step of modifying a first source address information to specify the second logical port of the telephone proxy and communicating the data with the modified first source address information to the trusted device and reverse it to communicate with the untrusted device as taught by **Cohen et al.** to establish a transparent connection between the trusted device and the untrusted device. This modification would have been obvious because one skilled in the art would have been motivated by the suggestions provided by **Cohen et al.** so as to establish a transparent connection between the trusted device and the untrusted device.

**As per claim 11**, both references substantially teach the claimed method of claim 8. Neither of the references explicitly teaches the modifying step as recited in claim 11. **Cohen et al.** in an analogous art teaches modifying source address information in the received telecommunication data to specify a second logical port of the telephone proxy associated with the untrusted device and communicating the data with the modified source address information to the trusted IP telephone (see column 8, lines 28-37 and lines 37-49). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method as combined above to provide the step of modifying source address information in the received telecommunication data to specify a second logical port of the telephone proxy

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associated with the untrusted device and communicating the data with the modified source address information to the trusted IP telephone as taught by **Cohen et al.** to establish a transparent connection between the trusted device and the untrusted device. This modification would have been obvious because one skilled in the art would have been motivated by the suggestions provided by **Cohen et al.** so as to establish a transparent connection between the trusted device and the untrusted device.

**As per claims 12 and 44, Gudjonsson** discloses the limitation of a system capable of exchanging information using UDP that meets the recitation of wherein associating a first logical port of the telephony proxy with the untrusted device comprises associating a User Datagram Protocol (UDP) logical port to enable the streaming of IP packets, for example (see column 7, line 35 through column 8, line 35). Therefore, claims 12 and 44 are rejected on the same rationale as the rejection of claims 1 and 11.

**As per claims 13 and 45, Cohen et al.** discloses the limitation of wherein modifying the source address information in the received telecommunication data comprises modifying a source IP address and a source port in a header of each IP packet (see column 8, lines 28-37 and lines 37-49). Therefore, claim 13 is rejected on the same rationale as the rejection of claim 11.

**Claims 35-37** recite the same limitations as claims 11-13 respectively by referring to a software instead of a method and are rejected on the same rationale as the rejection of claims 11-13.

**As per claim 43**, claim 43 recites some of the limitations found in claim 11 and is rejected on the same rationale as the rejection of claim 11.

3. **Claims 2-6, 8-10, 14-30, 32-34, and 38-42** are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,455,855 to **Hokari** in view of US Patent 6,564,261 to **Gudjonsson**.

**Claims 2, 9, 10, 14, 26, and 38** recite the same inventive concept as claim 1. Therefore, they are rejected on the same rationale as the rejection of claim 1.

**As per claim 3**, **Hokari** discloses the limitation of wherein receiving a call initiation request from the untrusted device comprises intercepting a call initiation request at an entry point to the trusted network servicing the trusted IP telephone, the call initiation request sent from outside the trusted network by the untrusted device (see column 4, lines 13-16 and column 4, lines 38-43).

**As per claim 4**, **Hokari** discloses the limitation of wherein evaluating the call initiation request comprises determining whether the trusted IP telephone is a proper recipient of a telephone call from an untrusted device (see column 4, lines 13-37 and column 2, lines 48-53).

**As per claims 5-6**, **Hokari** discloses the limitation of wherein determining whether the trusted IP telephone is a proper recipient of a telephone call from an untrusted device comprises



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determining whether a network address of the trusted IP telephone is included in a list of approved network addresses and whether a network address of the untrusted device is included in a list of approved network addresses (see column 2, lines 48-53). It is obvious that the identification numbers referred to herein can be in form of network addresses in an internet connection as in figure 1 of Gudjonsson.

**As per claim 8, Hokari** discloses the limitation of wherein establishing a telecommunication link between the untrusted device and the trusted IP telephone comprises establishing a telecommunication link using PBX 103 that meets the recitation of a telephony proxy whereby all telecommunications between the trusted IP telephone and the untrusted device are communicated through the telephony proxy (see figure 1).

**As per claim 15, Hokari** discloses the limitation of wherein the call manager is further operable to initiate the creation of a telecommunication link between the untrusted device and the trusted telephone comprises establishing a telecommunication link using PBX 103 that meets the recitation of a telephony proxy whereby all telecommunications between the trusted telephone and the untrusted device are communicated through the telephony proxy (see figure 1).

**Claim 16** recites the same limitation as claim 14 implemented in software and is rejected on the same rationale as the rejection of claim 14.

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**As per claims 17-20, Hokari** substantially teaches the claimed network of claim 14. **Gudjonsson** in an analogous art discloses an ISDN network coupled to the Internet and a PSTN using a gateway, for example (see abstract and see column 7, line 35 through column 8, line 35). To one skilled in the art, it is apparent that the invention of Hokari can be coupled to the Internet. Therefore, they are rejected on the same rationale as the rejection of claim 1.

**As per claim 21**, the additional trusted network is a design choice and does not depart from the spirit and scope of the invention of **Hokari**, which is not limited to one network. To a person having ordinary skill in the art, it is obvious that the communication network described by **Hokari** may comprise a second trusted network.

**Claims 22 and 23** recite the same limitation as claims 5-6 wherein the authentication controller comprises list of addresses of network devices permitted to receive telephone calls from the untrusted and list of network addresses permitted to communicate with the trusted telephone (column 2, lines 48-53 and columns 4-5). It is obvious that the identification numbers referred to herein can be in form of network addresses in an internet connection as disclosed in column 32, lines 27-50 of Gudjonsson.

**Claims 24-25** recite the same limitations as claims 9-10 and are rejected on the same rationale as the rejection of claims 9-10.

**Claims 27-30, 32-34** recite the same limitations as found in claims 3-6, 8-10 respectively by referring to a software instead of a method and are rejected on the same rationale as the rejection of claims 3-10.

**Claims 39-42** recite the same limitations as claims 22-25 respectively by referring to an apparatus instead of a network and are rejected on the same rationale as the rejection of claims 22-25.

### ***Conclusion***

4. Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on 5/17/2004 prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609(B)(2)(i). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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4.1 The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Many of the claimed features, i.e. list of network addresses permitted or denied access between trusted and untrusted, call evaluation based on media streaming, ISDN coupled to the Internet, etc. are disclosed in these references.

US Patents : 6,363,411 Dugan et al.; 6,020,915 Bruno et al.; 6,487,196 Verthein et al.

4.2 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carl Colin whose telephone number is 571-272-3862. The examiner can normally be reached on Monday through Thursday, 8:00-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

*cc*

Carl Colin

Patent Examiner

November 15, 2004

  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100